

## CLASSIFICATION OFFICE DECISION

**Title of publication:** tm.jpg

**Other known title(s):** Not stated

**OFLC ref:** 1500928.003

**Medium:** Computer Image File

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

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| <b>Classification:</b> | Objectionable. |
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 25 February 2016

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 23 February 2016

### Summary of reasons for decision:

The publication is deemed to be objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children for sexual purposes. The file explicitly depicts a child being engaged in sexual activity by an adult man. As such, the publication is a record of sexual abuse. For those with a sexual interest in children or young persons, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification also reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.